Approved, SCAO OSM CODE: AGL

## STATE OF MICHIGAN PROBATE COURT COUNTY

CIRCUIT COURT - FAMILY DIVISION

## ACCEPTANCE OF APPOINTMENT AND REPORT OF GUARDIAN AD LITEM OF ALLEGED INCAPACITATED INDIVIDUAL

FILE NO.

In the matter of	, alleged incapacitated individual
<ol> <li>I have been appointed by the court as guardian ad litem, an</li> <li>I have performed the duties required by statute (see reverse</li> </ol>	
3. I visited the alleged incapacitated individual on	at Location
<ul> <li>and, to the extent that the individual could comprehend, expappointment and otherwise complied with each provision of</li> <li>I report to the court as follows:</li> <li>a. the alleged incapacitated individual wishes to:</li> </ul>	lained the nature, purpose, and legal effects of a guardian's MCL 700.5305(1).  sject to the appointment of the nominated guardian.
I believe it	
☐ a durable power of attorney ☐ d. The alleged incapacitated individual asserts the follow	ting one of the following: do-not-resuscitate declaration ng rights: have an attorney appointed.
☐ The individual will retain legal counsel. ☐ I r  5. ☐ One or more items in item 4a above are demanded and r  OR ☐ The petition is not being contested and I further report to (please write the report and recommendation separately)	
Date	
Signature	Address
Name (type or print)	City, state, zip Telephone no.
Do not write below the	nis line - For court use only

## **DUTIES OF GUARDIAN AD LITEM**

Your duties as guardian ad litem include all of the following:

- 1. Visit the individual alleged to be incapacitated.
- 2. Explain to the individual the nature, purpose, and legal effects of the appointment of a guardian.
- 3. Explain to the individual the hearing procedure and the individual's rights in the hearing procedure, including but not limited to:
  - a. the right to contest the petition.
  - b. the right to request limits on the guardian's powers.
  - c. the right to object to a particular person being appointed guardian.
  - d. the right to be present at the hearing.
  - e. the right to be represented by legal counsel and that legal counsel will be appointed for the person if s/he is unable to afford legal counsel.
- 4. Inform the individual of the name of any person known to be seeking appointment as guardian.
- 5. Make determinations and inform the court of those determinations, on all of the following:
  - a. whether the individual alleged to be incapacitated wishes to be present at the hearing.
  - b. whether the individual alleged to be incapacitated wishes to contest the petition.
  - c. whether the individual alleged to be incapacitated wishes limits be placed on the guardian's powers.
  - d. whether the individual alleged to be incapacitated objects to a particular person being appointed guardian.
  - e. whether there are one or more appropriate alternatives to the appointment of a full guardian after considering:
    - i. appointment of a limited guardian, including the specific powers and limitation on those powers the guardian ad litem believes appropriate.
    - ii. appointment of a conservator or another protective order under 700.5401 et seq.
    - iii. execution of a patient advocate designation, do-not-resuscitate declaration, or durable power of attorney with or without limitations on purpose, authority or duration.
  - f. whether a disagreement or dispute related to the guardianship petition might be resolved through court ordered mediation.